



**Trinity NC City Council Meeting
Minutes
10/19/10**

Members Present: Mayor Carlton Boyles, Robbie Sikes, Kelly Grooms, Linda Gantt, Tommy Johnson, Kristen Varner, Tyler Earnst, Karen Bridges and Barry Lambeth

Members Absent: None

Others Present: City Manager Ann Bailie, City Attorney Bob Wilhoit, City Planning and Zoning Administrator Adam Stumb, Public Works Director Rich Baker, City Clerk/Finance Officer Debbie Hinson, Assistant City Clerk Lori Hunt, members of the media, and other interested parties.

Call to Order (*Mayor Carlton Boyles*)

- **Pledge of Allegiance**

Mayor Boyles led the Pledge of Allegiance.

- **Invocation**

Council member Lambeth gave the invocation.

- **Welcome Guests and Visitors**

Mayor Boyles welcomed those present and called the meeting to order.

- **Review & Approve Agenda**

Motion to amend the agenda to add item 2C consider approval of contract plans and technical specifications for sewer Phase 4A contracts 2 & 3, also to add item 7G consider approval of recycling services agreement with FCR Recycling by Council member Grooms, seconded by Council member Earnst, approved unanimously by all Council members present.

Public Comments

None

Reports

1. **Community Development Block Grant (CDBG) project #07-C-1725, Pike Street Sewer Project Quarterly Report** (*Alicia Broadway, Program Administrator, Benchmark CMR, Inc.*)

Ms. Broadway stated that this would be her final presentation on the CDBG project, Pike Street Sewer Project Quarterly Report for the period July, 2010 through September, 2010. She advised that during the month of July it was made known that there is a new grants representative on behalf of the project. The new representative's name is Susan Nolan.

Ms. Broadway advised that one additional family was helped to receive assistance through the project. The free connection list was updated and submitted to Davis, Martin, Powell & Associates and the City of Trinity. Ms. Broadway stated that the closeout Public Hearing Notice was submitted to the High Point Enterprise newspaper. She advised that during the month of August confirmation was received that Sam Watford Construction was completely finished with the project. Ms. Broadway stated that Benchmark prepared and submitted the final administrative invoice and also submitted the final DCA requisition to be processed on behalf of the project. She said that she attended the Closeout Public Hearing on the 17th of August and reviewed the files to be sure the proper information was in place. In the month of September she stated that the quarterly performance report was prepared and submitted, the report required by the Division of Community Assistance. Ms. Broadway stated that also the strategy for Fair Housing Plan was reviewed. Letters and 15 pamphlets were mailed to three local banks and two non-profits as a part of the quarterly activity. Also there was information received about Susan Nolan wanting to have another monitoring visit and that date was October 6, 2010. There are still closeout documents to be submitted to the Division of Community Assistance prior to the deadline of November 29, 2010.

Ms. Broadway stated that the expenditures to date are \$251,891.95 for the project and of that amount \$17,500 was from the City of Trinity's match.

Council member Bridges wanted to know what happens to the remaining balance to which Ms. Broadway replied that it is returned to the state.

Motion to approve the Pike Street Sewer Project Report by Council member Bridges, seconded by Council member Earnst, approved unanimously by all Council members present.

2. Infrastructure projects update (Rich Baker, Utilities & Public Works Director/Randy McNeill, Davis-Martin-Powell & Assoc.)

A. Phases 3 & 4-A Contract 1 Sewer Construction (Baker)

Mr. Baker advised that Phase 3 was made up of two projects, contract 1 & 2. Contract 2 is on line and contract 1 is close to completion. He said that he hopes within the next two weeks to get that contract on line. Most of the repairs have been completed with only a few things left to take care of.

Mr. Baker stated that in Phase 4A, Page and Associates is ahead of schedule. They will finish close to their original due date even without taking extra rain days. Mr. Baker advised that the stimulus money will be looked at to possibly continue that project.

Mr. McNeill stated that there will be about \$200,000 left from the project. He will ask the state if the City can spend it to do some more work. Some of the lines that are designed as part of Phase 4A Contract 2 may be able to be constructed with the leftover money.

B. Updates

- Wastewater Treatment Plant Feasibility Study (*McNeill*)

Mr. McNeill stated that the study is well under way. He said that they are working on information to produce exhibits and cost summaries to bring to committees and the Council.

- Phase 4-A Contracts 2 & 3 (*McNeill*)

Mr. McNeill advised that the City is getting ready to go to bid for construction of Phase 4A contracts 2 & 3.

- Phase 4-B Old Town and Contracts 1 & 2 (*McNeill*)

Mr. McNeill stated that the Right of Way agent is in the process of acquiring easements.

- Trinity Furniture Sewer Line (*McNeill/ Steve Austin, Grant Project Administrator*)

Mr. McNeill advised that the Right of Way agent is in the process of acquiring easements.

C. Approval of contract plans and technical specifications for sewer Phase 4A contracts 2 & 3.

Mr. McNeill said that staff has had plans for the past year and they have been submitted to Rural Development and their engineering staff has approved the plans and have authorized the City to use them for bid documents. The goal is to bid the project before the end of the year and award it at the December Council meeting.

Motion to approve the contract plans and technical specifications for sewer Phase 4A contracts 2 & 3 by Council member Earnst, seconded by Council member Lambeth, approved unanimously by all Council members present.

Consent Agenda

3. **Approve Minutes of the Sept 14, 2010 City Council Pre-agenda Meeting (*Lori Hunt, Assistant City Clerk*)**
4. **Approve Minutes of the Sept. 21, 2010 Regular City Council Meeting (*Hunt*)**
5. **Approve conclusions and findings of fact pertaining to conditional approval and issuance of Special Use Permit for Telecommunications Tower (*Bob Wilhoit, City Attorney*) (*See attached exhibit A*)**

Motion to approve the Consent Agenda by Council member Grooms, seconded by Council member Johnson, approved unanimously by all Council members present.

Unfinished Business

None

New Business

6. Contract award for plumbing services for CDBG #09-C-2031, Infrastructure Hook-Up project *(Steve Austin, Grant Project Administrator).*

Mr. Austin advised that on September 17, 2010 the City opened bids for the 2009 Sewer Hook Up Project. The City received 5 bids from licensed residential contractors. Danny Eaton Plumbing was the lowest responsible bidder. Mr. Austin recommends that the contract be awarded in the amount of \$47, 150 and this includes the tap fees to be paid to the City.

Motion to approve the contract award for plumbing services by Council member Sikes, seconded by Council member Earnst, approved unanimously by all Council members present.

7. Curbside trash & recycling services *(Ann Bailie, City Manager)*

Manager Bailie stated that this is the third time that the City has considered trash & recycling service. She advised that in December the Mayor appointed a task force to look at the trash & recycling issue. The task force consists of Council member Grooms, Council member Johnson and Council member Sikes. Mayor Boyles, Public Works Director Rich Baker and City Manager Bailie attended the meetings as well.

Ms. Bailie advised that the task force has recommended that the City move forward with providing trash & recycling collection services.

Manager Bailie presented an overview of the proposed services. ***(See Exhibit B, attached, PowerPoint presentation)***

Council member Earnst asked if the costs would remain steady for the five year contract with Handy's Garbage Service to which Manager Bailie replied that the collection cost would remain \$10.25. The variables are the landfill disposal costs and the revenue received or cost incurred for disposal of recyclables. The City is looking at using the landfill at the City of High Point where the dumping charge is currently \$38 per ton.

Council member Bridges asked about the fluctuations in fuel costs. Manager Bailie stated that a fuel recovery charge is in the contract with Mr. Handy. The precise amount is not yet determined. Council member Bridges wanted to know if the money made from the recyclables could be put into a fund for fuel recovery charges, to which Manager Bailie replied, "yes." There was discussion as to the dumping fees and fuel recovery charges.

Council member Bridges asked if residents could use their own trash cans. Manager Bailie stated that when the service was first proposed the City was planning to contract

with a corporation formed by Handy's, Roadside and Smith's Garbage Disposal. Roadside and Carl Smith have since withdrawn from the process. At the time the City was first considering the service, the City was expecting to be able to get grant funding for garbage toters. The plan was to get toters for everyone who did not have one of the three providers. Since Roadside and Carl Smith dropped out, they will pick up their toters and take them with them. Mr. Handy has about 500 stops in the City. Last Friday Manager Bailie was informed that the City was not going to be eligible for the garbage totter grants because the grant had been switched to funding recycling toters, only. At the present time the City is looking at purchasing recycle and garbage toters up-front for all residents. Council member Bridges wanted to know why the City had to purchase garbage toters for everybody when some residents owned their own toters. Manager Bailie replied that the main reason is so that the City can be assured that Mr. Handy is only picking up City residents' materials.

Council member Varner stated that another reason for getting toters for everyone is because Mr. Handy is going to buy some trucks that will use a one arm bandit to pick up the toters.

Council member Gantt wanted to know if people could leave garbage bags out to be picked up. Manager Bailie said that the elderly and disabled would be able to do that under special circumstances.

Public Comments:

Fran Andrews – 7268 NC Hwy. 62

Ms. Andrews stated that she thought that the trash and recycling should be passed. She said that otherwise our children and grandchildren would be dealing with a lot of plastic bottles. She stated that recycling is necessary because enough plastic water bottles are used each year to go around the world 137 times and some of those are going in the ocean. Ms. Andrews stated that in this country we are losing a landfill a day.

Linda Sylvia – 4420 Twinwood Dr.

Ms. Sylvia stated that she does not need the service and she does not feel that she needs to pay the \$15 per month fee. She said she would like to continue with her current hauler and her bi-weekly trash pick up. She stated that she does not generate that much garbage.

Donna Overcash – 3886 Lawson Dr.

Ms. Overcash stated that she is speaking for her 90 year old father George Clinton Cashatt who resides at 4233 Hopewell Church Rd. She stated that her father said that he feels like he is being forced to participate in the trash & recycling service. Ms. Overcash advised that her father is a veteran and if he is made to participate she will be disappointed in the Mayor and the Council.

Chester Ayers – 3498 Circle Court

Mr. Ayers thanked the City Manager for her hard work in the trash & recycling issue. He stated that he is for the trash & recycling service but has some questions. Mr. Ayers wanted to know what the options are as to who does the actual pick up. He said the City of Trinity would have to pay a displacement fee to other haulers in the area who will be displaced by the service. He also wanted to know if Mr. Handy would be ready to put the service into action by January. Mr. Ayers wanted to know if the residents would be responsible for damage caused to the cart by the hauler and what the total cost of the toters would be.

Council member Grooms stated that the task force had looked at the cost issue and also looked at keeping local haulers in business. The displacement cost of the haulers was taken care of by the contract with Mr. Handy. Mr. Handy agreed to cover the costs of the displacement of the haulers.

Council member Gantt wanted to know if the City had to pay North Davidson \$13,950. Manager Bailie stated the \$13,950 is an estimate and she does not know how many stops they have in the City. In order for them to be reimbursed there are certain procedures they must follow which they have not to this point.

Manager Bailie advised that damaged carts due to haulers, would not be the responsibility of the homeowners. She stated that Mr. Handy has assured the task force that he will be ready by January, 2011.

Mr. Ayers said he wanted to congratulate Fran Andrews for being named Citizen of the Year.

Ken & Jenny Carico- 4123 Forest Manor Dr.

Ms. Carico stated that she is in favor of the citywide trash & recycling service. Since disposing of recyclables is now illegal, she sees this as the only alternative. She advised that since there has been no recycle bins in the area for some time she has been forced to take recyclables to Asheboro which is 20 + miles away. Ms. Carico said that with the cost of the current garbage service she would be able to conveniently recycle from home. She stated that for residents to have a sustainable planet, recycling is imperative. Ms. Carico stated that it is the responsibility of the local government to make recycling convenient to its citizens.

Kevin Varner - 7123 NC Hwy. 62

Mr. Varner stated that he likes other people's trash. He has found bottles dating back to the 1920s. Mr. Varner advised that he has a trash pile from the 1980s and does not know how long it will take for that trash to disintegrate. He stated that he believes that trash & recycling needs to be picked up and that the City needs to move in that direction and not take years to realize. He asked Council to pass the trash & recycling service for Trinity.

Jerry Sturgis – 6808 Country Meadows Ln.

Mr. Sturgis wanted to know what would happen after the trash & recycling contract is up after 5 years. Council member Grooms stated that the service would go out to bid at that time.

Beth Earnst - 7511 Fox Chase Dr.

Ms. Earnst stated that she would like to applaud the City of Trinity for trying to get trash & recycling service to the residents. She advised that she and her husband moved to Trinity five years ago and that one thing that was a deterrent to moving to Trinity was that she could not recycle. She stated that she could carry her recycling to the bins in the county before they were removed for contamination. Ms. Earnst stated that she began taking her recyclables to Asheboro but that became a little difficult to do and at the present time she is recycling in Archdale. She stated that there are a lot of people who would love to recycle and that bringing trash & recycling service to Trinity would be a progressive move for the City. She is excited that her trash bill is going to go down because at the present time she is paying more per quarter than the proposed cost of the service. She agrees that there are some residents in Trinity who can not afford the service and there needs to be some accommodations for those people. Ms. Earnst advised that every time an aluminum can or plastic bottle is placed in the trash the law is being broken. She stated that the more people recycle the less the cost of garbage service will be.

Miles Talbert – 6512 Cedarberry

Mr. Talbert stated that he was involved in a large study in Ohio and that recycling was the last form of getting rid of trash. He advised that trash incineration was the most effective form of getting rid of trash. He stated that the environmentalists have stopped that by saying it would pollute the air. Mr. Talbert stated that in his opinion it would not pollute the air. Recycling would only slow down the filling of the landfills in his opinion.

Council member Bridges stated that some plastics do not get recycled and she thought that people needed to be talking about reducing consumption. She also stated that the City is taking \$187,000 out of the park fund to pay for implementation of recycling. She wanted to know if the City is still looking at a \$1,000,000 park project with ½ of that being the City's match for the \$500,000 grant. Manager Bailie stated that the budget amendment is set up to transfer money from the park fund to pay for the recycling and garbage toters since the City was unsuccessful in getting grant funding for the park. . She stated that if the Council approves submitting a new grant application for the park that the City's match would be budgeted in next fiscal year's budget.

Council member Gantt wanted to know if the task force considered giving waivers to the elderly. Manager Bailie advised that the task force is recommending that if there is no able bodied person in the household, that they would be eligible for back door service. She stated that it is not legal to have a different rate schedule for different classes of people such as the elderly. She stated that the Council could set up a fund that would subsidize the fees for certain classes of people but it could not be set up in a rate schedule.

- A. Consider approval of policies related to Solid Waste Collection
Motion to approve policies related to solid waste collection by Council member Earnst, seconded by Council member Johnson, approved by a majority vote with Council member Gantt being opposed.
- B. Consider approval of Solid Waste Collection Ordinance
Motion to approve Solid Waste Collection Ordinance by Council member Earnst, seconded by Council member Sikes, approved by a majority vote with Council member Gantt being opposed.
- C. Consider approval of Contract with Handy's Garbage Service, Inc.
Motion to approve the contract with Handy's Garbage Service, Inc. by Council member Grooms, seconded by Council member Sikes, approved by majority vote with Council member Gantt being opposed.
- D. Consider approval of Budget Amendments to fund startup of the program
Motion to approve the budget amendments to fund startup of the program by Council member Earnst, seconded by Council member Johnson, approved by majority vote with Council member Gantt being opposed.
- E. Consider approval of Amendments to the City's Fee Schedule
- F. Consider authorization to submit application for grant funding to offset the cost of roll-out carts
Motion to approve amendments to the City's fee schedule and authorization to submit application for grant funding to offset the cost of roll out carts by Council member Earnst, seconded by Council member Sikes, approved by majority vote with Council member Gantt being opposed.
- G. Consider approval of recycling services agreement with FCR Recycling.
Motion to approve recycling services agreement with FCR Recycling with a 2 year contract by Council member Earnst, seconded by Council member Johnson, approved by a majority vote with Council member Gantt being opposed.

8. Consider Resolution in Support of Parks and Recreation Trust Fund grant application for development of a City park and authorization to submit application (*Adam Stumb, Planning & Zoning Administrator*)

Planner Stumb advised that this will be the second time the City applied for the grant for the park at the City property. The schedule for the park application is as follows; this month the staff is looking for support from the Council to submit the application, going to the YMCA, the Rotary Club and the Chamber of Commerce for community support and on November 2, 2010 there will be a plan the park day from 2:30 to 8:30 p.m. in the City

Hall Annex Building. The Plan the Park Day will be an opportunity for the community to have input as to the design of the park and the amenities for the park. Mr. Stumb stated that there was a survey that people could fill out to let the City know what they would like to see in the park. The survey will be available until November 2, 2010. In December the staff will come back to the Council for final approval. A Citywide park plan is part of the application for this grant to show what is coming up in the future for the park system.

Mr. Stumb advised that 56 total surveys have been turned in. There is one survey per household which represents about 152 people surveyed. There are some similarities to last year's survey. Some things wanted by the residents are walking, swimming picnicking, biking and fishing. Most of the responses were agreeable to having the opportunities provided by the proposed park. There was mixed responses to an indoor recreation center. People who responded to the surveys were interested in the trails that link different parts of the City. Walking trails was the most popular response that people wanted. There was a lot of interest in the farmer's market as well. There was a tie between the Veteran's Memorial and the trails.

Mr. Stumb advised that the deadline for submitting the application was in January, 2011.

Council member Grooms stated that he would like to see something different than what Archdale has in their park.

Mayor Boyles stated that the PARTF representative stated that the reason the City did not get approved in the first round was because the City had zero points in a few areas of the application. She suggested that City would be approved in the second round.

Council member Bridges stated that she was not opposed to the park but thought that it could be accomplished for less money.

Miles Talbert – 6512 Cedarberry

Mr. Talbert stated that he is not opposed to a park but that the City needs sewer in more areas first. He stated that he thought the City should not spend money on a park but that residents could use the park in Archdale. He does not think that anybody in Trinity would be thrilled if the City built a park tomorrow.

Council member Earnst stated that the City could qualify for a grant with a 50% match by the City at the present time. The fact that this grant is available now is what is making the application important at this time.

Manager Bailie stated that the City had 3 years to expend the grant money.

Council member Grooms stated that if trying to promote the City to get people to come to it then the City should strive to be green and have parks and recreation. This would be a positive draw for Trinity.

Motion to adopt a Resolution in Support of Parks and Recreation Trust Fund grant application for development of a City park and authorization to submit application by Council member Varner, seconded by Council member Johnson, approved by a majority vote with Council members Gantt and Bridges being opposed.

Business from City Manager

Manager Bailie recognized Jerry Sturgis for planting flowers around the water feature at the annex building.

Business from Mayor and Council

None

Closing Comments from Mayor and Council

None

Adjournment

Motion to adjourn by Council member Sikes, seconded by Council member Johnson, approved unanimously by all Council members present.

These minutes were approved at the regular Council meeting on November 16, 2010 with a motion by Council member Grooms, seconded by Council member Sikes, approved unanimously by all Council members present.